IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THOMAS ROGER VAN GILDER,)
Plaintiff,)
v.) Civil Action No. 12-1037) Judge Arthur J. Schwab
CAROLYN W. COLVIN, ACTING) Magistrate Judge Lisa Pupo Lenihan
COMMISSIONER OF SOCIAL)
SECURITY,)
Defendant.)

MEMORANDUM ORDER

The complaint filed by Plaintiff Thomas Van Gilder ("Van Gilder") against the Commissioner of Social Security ("Commissioner") was received by this Court on July 25, 2012, and the matter was referred to Chief United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Rules of Court 72.C and 72.D.

The Report and Recommendation (ECF No. 18) filed on April 16, 2013, recommended that Van Gilder's Motion for Summary Judgment (ECF No. 10) be denied, that the Commissioner's Motion for Summary Judgment (ECF No. 14) be granted, and that the Commissioner's final decision be affirmed. Service was made on all counsel of record. The parties were informed that, in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, they had fourteen (14) days to file written objections to the Report and Recommendation. No objections have been filed.

After review of the pleadings and documents in this case, together with the Report and Recommendation, the following order is entered:

AND NOW, this _3 day of May, 2013,

IT IS HEREBY ORDERED that Van Gilder's Motion for Summary Judgment (ECF No. 10) is **DENIED**, that the Commissioner's Motion for Summary Judgment (ECF No. 14) is **GRANTED**, and that the decision of the Commissioner is **AFFIRMED**.

IT IS FURTHER ORDERED that the Report and Recommendation of Chief Magistrate

Judge Lenihan (ECF No. 18) is adopted as the opinion of the Court.

Arthur J. Schwab

United States District Judge

cc: All counsel of record